



**DEPARTMENT OF PERSONNEL**  
**209 East Musser Street, Room 101**  
**Carson City, Nevada 89701-4204**  
**(775) 684-0150**  
**<http://dop.nv.gov>**

**MEMO PERD #45/05**  
**November 4, 2005**

TO: Personnel Commission Members  
Department Directors  
Division Administrators  
Agency Personnel Liaisons  
Agency Personnel Representatives  
Designee for Rules Distribution  
Employee Representatives  
Media Representatives

FROM: Jeanne Greene, Director  
Department of Personnel

SUBJECT: PERSONNEL COMMISSION MEETING MINUTES

---

Attached are the minutes from the September 23, 2005, Personnel Commission meeting. These minutes have not been approved and are subject to revision at the next meeting of the Personnel Commission on November 8, 2005.

JG:sq

Attachment



**DEPARTMENT OF PERSONNEL**  
**209 East Musser Street, Room 101**  
**Carson City, Nevada 89701-4204**  
**(775) 684-0150**  
**<http://dop.nv.gov>**

**PERSONNEL COMMISSION**  
**MEETING MINUTES OF SEPTEMBER 23, 2005**

**MEMO PERD # 45/05**  
**November 4, 2005**

**I. Call to Order**

Chairman Claudette Enus called the meeting to order at 9:03 a.m., September 23, 2005, at the Legislative Building, Room 4100, 401 South Carson Street, Carson City, and via video conferencing at the Grant Sawyer Building, Room 4412, 555 East Washington Avenue, Las Vegas.

*Members present in Las Vegas:* Chairman Claudette Enus and Commissioners David Sánchez (arrived at 9:19 a.m. due to a traffic accident) and Katey Fox. Also present was Director Jeanne Greene from the Department of Personnel.

*Members present in Carson City:* Commissioners David Read and Jack Eastwick. Also present were Shelley Blotter, Chief of Technical Services Division, Department of Personnel, Chief Deputy Attorney General Jim Spencer, and Deputy Attorney General, Scott Wasserman.

**II. \*Adoption of Agenda**

Commissioner Fox's motion to adopt the agenda was seconded by Commissioner Eastwick and unanimously carried.

**III. \*Adoption of Minutes of the Previous Meeting**

Commissioner Read's motion to approve the minutes of the July 15, 2005, meeting was seconded by Commissioner Eastwick and unanimously carried.

IV. \*Pre-Employment Testing for Controlled Substances

The Department of Personnel received a request from the Departments of Health & Human Services, Corrections, Office of Veterans' Services, and the University of Nevada to add 10.319 – Correctional Nurse I, and 10.358 – Nurse I to the list of classes subject to pre-employment testing for controlled substances.

Commissioner Fox's motion to approve Item IV was seconded by Commissioner Eastwick and unanimously carried.

V. \*Conflicting Employment/Activities  
*Office of the Secretary of State*

Renee Parker, Chief Deputy Secretary of State, and Josh Hicks, Sr. Deputy Attorney General, explained they wanted to adopt a policy applicable to their employees that determines specific activities which are considered inconsistent, incompatible or in conflict with their duties as employees, or with the duties, functions, or responsibilities of the Office of the Secretary of State.

There being no comments or questions, Commissioner Fox's motion to approve the policy was seconded by Commissioner Read and unanimously carried.

VI. \*Proposed Regulation Changes to NAC Chapter 284

A. Temporary Regulations Previously Approved by the Personnel Commission  
Proposed for Permanent Adoption

Tracy Walters, Personnel Analyst, Department of Personnel, explained that Sections 1 through 12 had been approved as temporary regulations at an earlier meeting. There being no comments, Chairman Enus permitted them to be considered simultaneously in one motion.

**Sec. 1 NEW "Lack of promotional candidates"**

This amendment, proposed by the Department of Personnel and adopted by the Personnel Commission as a temporary regulation on March 25, 2005, describes when a class may be defined as having a lack of promotional candidates.

**Sec. 2. NAC 284.063 "Entry level" defined.**

This amendment, proposed by the Department of Personnel and adopted by the Personnel Commission as a temporary regulation on March 25, 2005, allows additional classes to be defined as "entry level."

VI. \*Proposed Regulation Changes to NAC Chapter 284 (cont'd)

**Sec. 3. NAC 284.069 "Journey level" defined.**

This amendment, proposed by the Department of Personnel and adopted by the Personnel Commission as a temporary regulation on March 25, 2005, aligns the definition of "Journey level" with current practice.

**Sec. 4. NAC 284.182 Adjustment and retention of pay progression date; restoration of date of appointment and pay progression date.**

This amendment adopted by the Personnel Commission as a temporary regulation on October 1, 2004, changes the method used for adjusting an employee's pay progression date and clarifies the current regulation. Adjustments will be made to a pay progression date only in full day increments, and the adjustment will be made on a calendar day basis rather than a workday basis.

**Sec. 5. NAC 284.210 Differential rate of pay for qualifying shift.**

This amendment adopted by the Personnel Commission as a temporary regulation on October 1, 2004, changes payment of shift differential. The change would allow employees who work a qualifying shift, and who are only in paid status for a portion of their shift, to be paid shift differential for the portion of their shift they are in paid status. Additionally, the change would provide shift differential to employees whose 8-hour shift is reduced to 7 hours due to daylight savings time.

**Sec. 6. NAC 284.490 Reimbursement or prepayment for training or education.**

This amendment adopted by the Personnel Commission as a temporary regulation on October 1, 2004, clarifies that the repayment of wages owed because of failure to successfully complete training or termination prior to 1 year following the training is the responsibility of the employee.

**Sec. 7. NAC 284.5405 Annual leave: Credit upon reinstatement, rehiring, reemployment or transfer.**

This amendment adopted by the Personnel Commission as a temporary regulation on October 1, 2004, clarifies in subsections two and three the current practice used when crediting annual leave. The name of the University System has been revised to reflect the name change as provided in AB 527 of the 2005 Legislative Session.

**Sec. 8. NAC 284.598 Breaks in continuous service.**

This amendment adopted by the Personnel Commission as a temporary regulation on October 1, 2004, changes the word "rehired" to "reemployed" which is the appropriate term related to layoffs.

VI. \*Proposed Regulation Changes to NAC Chapter 284 (cont'd)

**Sec. 9. NAC 284.678 Statement of grievance: Contents; time to file.**

A new section is proposed regarding "Extension of time to file a grievance." This amendment, proposed by the Legislative Counsel Bureau, adds references to a new section regarding "Extension of time to file grievances." Wherever the phrase "provided in section 1" is used in this section, it is a reference to Section 1 of the New and Revised Regulations Proposed for Permanent Adoption.

**Sec. 10. NAC 284.682 Appeal of grievance to higher level**

This amendment, proposed by the Legislative Counsel Bureau, adds references to the new section, "Extension of time to file a grievance." Where the phrase "provided in section 1" is used in this section, it is a reference to Section 1 in the New and Revised Regulations for Permanent Adoption.

**Sec. 11. NAC 284.696 Unlawful discrimination.**

This amendment, proposed by the Department of Personnel and adopted by the Personnel Commission as a temporary regulation on December 17, 2004, allows the employee to report alleged discrimination directly to the Department of Personnel. The Legislative Counsel Bureau has revised the formatting making the section easier to read.

**Sec. 12. NAC 284.718 Confidential records.**

This amendment, proposed by the Department of Personnel and adopted by the Personnel Commission as a temporary regulation on March 25, 2005, clarifies that interview materials are confidential and access is not allowed.

Commissioner Read's motion to adopt Sections 1 through 12 was seconded by Commissioner Eastwick and unanimously carried.

B. New and Revised Regulations Proposed for Permanent Adoption

Tracy Walters addressed the following sections:

**Sec. 1. NEW Extension of time to file grievance**

This amendment was adopted by the Personnel Commission as a temporary regulation on December 17, 2004. Although this language was originally adopted as an amendment to NAC 284.678, the Legislative Counsel Bureau has recommended the following new section. The amendment allows the appointing authority or his designated representative and the employee to enter into an agreement to extend the time to file a grievance or to enter into an agreement at each step of the grievance process, except when the grievance has been submitted to the Employee Management Committee.

VI. \*Proposed Regulation Changes to NAC Chapter 284 (cont'd)

There being no questions or comments, Commissioner Fox's motion to approve Section 1 was seconded by Commissioner Read and unanimously carried.

**Sec. 2. NEW "Trainee level" defined**

This amendment, proposed by the Legislative Counsel Bureau, defines the term "Trainee Level" for use in this Chapter.

There being no questions or comments, Commissioner Fox's motion to approve Section 2 was seconded by Commissioner Eastwick and unanimously carried.

Ms. Walters explained that Sections 3, 4 and 5 relate to promotional candidates.

**Sec. 3. NAC 284.295 Determining type of recruitment.**

This amendment, proposed by the Legislative Counsel Bureau, makes changes consistent with Section 1 of the Temporary Regulations Previously Approved by the Commission Proposed for Permanent Adoption, "Lack of promotional candidates."

**Sec. 4. NAC 284.360 Reemployment lists; certification or waiver of lists.**

This amendment, proposed by the Legislative Counsel Bureau, makes changes so language is consistent with Section 1 of the Temporary Regulations Previously Approved by the Commission Proposed for Permanent Adoption, "Lack of promotional candidates."

**Sec. 5. NAC 284.367 Promotional lists: Use; order of names**

This amendment, proposed by the Legislative Counsel Bureau, makes changes so language is consistent with the new section on "lack of promotional candidates."

There being no questions or comments, Commissioner Eastwick's motion to approve Sections 3, 4 and 5 was seconded by Commissioner Read and unanimously carried.

Ms. Walters explained Sections 6, 7 and 8 relate to time for filing of grievance.

**Sec. 6. NAC 284.658 "Grievance" defined.**

This amendment, proposed by the Legislative Counsel Bureau, adds a reference to Section 1 of the New and Revised Regulations Proposed for Permanent Adoption, "Extension of time to file a grievance."

**Sec. 7. NAC 284.686 Presentation of grievance to head of division.**

This amendment, proposed by the Legislative Counsel Bureau, adds a reference to Section 1 of the New and Revised Regulations Proposed for Permanent Adoption, "Extension of time to file a grievance."

VI. \*Proposed Regulation Changes to NAC Chapter 284 (cont'd)

**Sec. 8. NAC 284.690 Filing of grievance with administrator of department.**

This amendment, proposed by the Legislative Counsel Bureau, adds references to Section 1 of the New and Revised Regulations Proposed for Permanent Adoption, "Extension of time to file a grievance."

There being no questions or comments, Commissioner Fox's motion to approve Sections 6, 7 and 8 was seconded by Commissioner Eastwick and unanimously carried.

*For the record, Chairman Enus stated that Commissioner Sánchez was now present.*

**Sec. 9. NAC 284.726 Access to confidential records.**

This amendment, proposed by the Legislative Counsel Bureau, updates the reference to NAC 284.718 due to proposed changes in Section 12 of the Temporary Regulations Previously Approved by the Commission Proposed for Permanent Adoption.

There being no questions or comments, Commissioner Eastwick's motion to approve Section 9 was seconded by Commissioner Read and unanimously carried.

VII. \*Approval of Proposed Class Specifications

A. Agriculturist series

Mary Day, Supervisory Personnel Analyst, Department of Personnel, explained the class concepts were revised as they no longer reflected current assignments at the III and IV levels.

There being no questions or comments, Commissioner Fox's motion to approve Item VII-A was seconded by Commissioner Sánchez and unanimously carried.

B. Park Supervisor III (commissioned and non-commissioned)

Ms. Day explained State Parks requested a change to the minimum qualifications to allow experience as a Park Ranger III to be considered qualifying.

There being no questions or comments, Commissioner Read's motion to approve Item VII-B was seconded by Commissioner Sánchez and unanimously carried.

VII. \*Approval of Proposed Class Specifications (cont'd)

C. Supervisor I, Associate Engineer and Staff I, Associate Engineer

Tewolde Habtemicael, Personnel Analyst, Department of Personnel, explained that the Department of Transportation requested the minimum qualifications be expanded to waive the State examination of candidates who have passed the Fundamentals of Engineering Exam.

There being no questions or comments, Commissioner Sánchez's motion to approve Item VII-C was seconded by Commissioner Read and unanimously carried.

D. Craft Worker-In-Training series

Mr. Habtemicael explained the series was revised to add a Locksmith option for the University of Nevada, Reno.

In response to Commissioner Sánchez's question, Mr. Habtemicael replied there are other Locksmith positions in State service and the series specification applies to all agencies that use the series.

There being no further questions or comments, Commissioner Fox's motion to approve Item VII-D was seconded by Commissioner Sánchez and unanimously carried.

VIII. \*Approval of Occupational Group Study Revised Class Specifications

A. Fiscal Management & Staff Services

Mary Day, Supervisory Personnel Analyst, Department of Personnel, stated she and her staff had revised class specifications in the following sub-groups using the occupational group study process:

1. Actuarial/Research/Grants Analysis

Tewolde Habtemicael, Personnel Analyst, Department of Personnel, explained that with input from subject matter experts, the series concept, class concepts, and the knowledge, skills and abilities had been refined to accurately reflect the current duties performed by incumbents in the Statistician series.

Commissioner Sánchez's motion to approve the Statistician series specification was seconded by Commissioner Fox and unanimously carried.



VIII. \*Approval of Occupational Group Study Revised Class Specifications (cont'd)

2. Public Information

Ms. Day explained the Department of Personnel recommends minor changes to the Geologic Information Specialist class. This is a single-position class located at the University of Nevada, Reno, Bureau of Mines and Geology. The changes reflect the position's updated work assignments and current technology and equipment used.

Commissioner Sánchez's motion to approve the Geologic Information Specialist class specification was seconded by Commissioner Eastwick and unanimously carried.

Ms. Day explained that minor revisions to the series and class concepts for the Exhibits Manager and Exhibit Preparator I and II were recommended. Positions are located at the Department of Cultural Affairs, Division of Museums and History, and at the Community College of Southern Nevada, Department of Art and Art History. The Department of Personnel worked with subject matter experts from both agencies in updating the class specifications.

Commissioner Sánchez's motion to approve the Exhibits Manager and Exhibit Preparator I and II class specifications was seconded by Commissioner Fox and unanimously carried.

Ms. Day explained the Technical Production Editor is a single-position class located at the Commission on Tourism, Nevada Magazine. The incumbent coordinates the efforts of staff and vendors in order to meet production deadlines; designs and implements computer graphics through desktop publishing; reviews and proofs final products for adherence to specifications; ensures camera-ready copy and maintains manuscript files.

Commissioner Sánchez's motion to approve the Technical Production Editor class specification was seconded by Commissioner Eastwick and unanimously carried.

3. Electronic Data Processing

Ms. Day explained that at the request of the Director, Information Technology, the Department of Personnel recommends establishment of a four-level Information Security Officer (ISO) series. In recent years, the State of Nevada has become increasingly dependent on the use of technology to carry out and conduct the mission of providing services to private citizens and other agencies. As a result of the continued growth in the use of information

technology (IT), the Office of Information Security was established to provide specific information security guidance, oversight, and direction to ensure the protection of technical resources from unauthorized access, and to develop and coordinate plans for the recovery of critical systems and applications of Executive Branch agencies.

In response to Commissioner Sánchez's question about how many certifications were required, Randy Potts, Chief Information Security Officer, Department of Information Technology, replied that the top level is required to have two of the certifications listed in the minimum qualifications. Mr. Potts explained the list of certifications is provided as a guide to understand how different certifications equate to the number of years of experience of these jobs.

Commissioner Sánchez asked whether the certifications were true minimum qualifications or preferred qualifications.

Ms. Day replied that not all certifications are going to be required for every position as it's going to be dependent on which security domains the individual will be working in. They are not preferred, but may be required for certain positions. In response to Commissioner Sánchez's question, Ms. Day responded the appointing authority makes the determination of which certifications are required.

Chairman Enus asked whether the appointing authority would participate in determinations of equivalency. Ms. Day replied that at the time the job announcement is prepared the appointing authority would indicate the nature of work performed and certifications required.

Director Greene clarified that subject matter experts assist the Department of Personnel in evaluating applicants to determine whether the appropriate certification is applied.

Chairman Enus was concerned that the Department of Personnel and subject matter experts communicate relative to when and under what circumstances an equivalency might be an appropriate consideration for the positions. Director Greene replied it is current practice that applicants are scored in conjunction with agency personnel representatives and subject matter experts.

There being no further questions or comments, Commissioner Sánchez's motion to approve the Information Security Officer series specification was seconded by Commissioner Fox and unanimously carried.

IX. \*Individual Classification Appeals

A. Sherry Sabins, Personnel Analyst II

*Division of Health Care Financing & Policy (HCFP), Department of Health & Human Services (HHS)*

Sherry Sabins explained she was appealing the denial of her reclassification request to Personnel Officer I. Her position was created on July 1, 1997, when the division was created with 185 permanent positions. There were also 22 intermittent positions. Currently, there are 239 positions.

Ms. Sabins explained her duties compare to the Personnel Officer I, and her assessment that the position mirrors the Personnel Officer I at the Department of Administration. With exception to that agency's delegation agreement, she has the same level of responsibilities and duties and functions at the same level. She has the same reporting structure; independently responsible for preparing special salary adjustments and accelerated hiring rates; prepares written responses to grievances, appeals, and disciplinary actions division-wide. The only Personnel Officer I concept her position doesn't meet is that she's responsible for a small division, not a department.

Ms. Sabins explained her position has experienced significant change as 3 support positions were added to the personnel unit. These positions perform functions that Ms. Sabins previously did, such as payroll clerk, processing personnel actions, and office support. She is now free to perform the higher level duties expected of her. Ms. Sabins read the Personnel Officer I concept, '...under general direction, plan, organize, and direct the statewide personnel management function for a small department; incumbents usually supervise a small unit of professional staff.' Ms. Sabins said the concept mirrors her work performance standards in every way. She meets with management to determine how to recruit and fill positions, but her technician handles the paperwork process. Ensures that records comply with State personnel regulations, maintains personnel databases - disaster response compliant, provides reports to HHS; releases personnel service jackets. Ms. Sabins agreed with State Personnel that her major duties are similar to those when the position was created, but she is now responsible for them at a different level.

Ron Foster, Personnel Analyst, Department of Personnel, stated he conducted the study on Ms. Sabins' position. Mr. Foster explained there were five reasons the reclassification request was denied, 1) new duties do not represent the preponderance of the total duties of the job; 2) new duties are not higher level; 3) scope of responsibility has remained the same - the size of the agency is about the same as it was in 1997; 4) Ms. Sabins' position compares directly to all 5 of the other Personnel Analyst II's in State service that serve as head of personnel of small agencies; 5) Ms. Sabins' position correctly aligns two grades

lower than the Personnel Officer I at the Department of Administration who serves as head of personnel for the department.

Mr. Foster explained that Ms. Sabins' new duties represent 38% of the total job, leaving 62% of the job unchanged. The most weighty duties are recruitment/selection, classification/compensation, training, and employee relations. Mr. Foster explained these functions are also described in the Personnel Officer class specification, but that the main factor of determining grade levels is the size of the agency. Agency size is not addressed in the Personnel Analyst series because most of the positions do not function as heads of personnel for small agencies. The 5 other Personnel Analyst I's that do function as head of personnel for a small agency, are at the Departments of Taxation, Wildlife, Information Technology, Cultural Affairs, and the Office of Veterans' Services. Level and scope of responsibility is determined by the size of an agency. The average size of these agencies is 221 employees and none have delegation agreements. All 5 positions are at the department level and do not have a higher-level personnel professional to consult with as Ms. Sabins does. Mr. Foster reviewed the comparisons of the 5 Personnel Analyst II positions to Ms. Sabins' position, and compared her position with the Department of Administration's Personnel Officer I.

Mr. Foster responded to Chairman Enus' question, that Ms. Sabins has a higher level personnel professional at the Department of Health & Human Services (HHS) to assist her in personnel matters.

Chairman Enus asked what grade level the position was. Kareen Masters responded that her position was moved to the unclassified service on July 1, 2005, and titled Deputy Director, Administrative Services, HHS.

Ms. Masters explained how the Division of Health Care Financing & Policy was established. Ms. Masters stated that Ms. Sabins is involved in more complex issues; recruits for difficult to fill positions; has the same variety of responsibilities, scope and authority as the other Personnel Officers within HHS. HHS is the largest department in the State with over 4,400 employees. Organizational structures common across State agencies doesn't necessarily apply to HHS as their divisions operate more like departments and some are smaller than Ms. Sabins' division. Ms. Masters stated she provides technical supervision and the reporting relationship between her and Ms. Sabins is the same as with the other HHS Personnel Officers. There are other Personnel Analyst II positions in HHS who serve as support to a department or division Personnel Officer and they don't have direct contact with their administrators. Ms. Sabins' position is different in that it reports directly to the division administrator.

Patrick Cates, Administrative Services Officer IV, Health Care Financing & Policy Division, stated the division fully supports an upgrade for Ms. Sabins' position. He felt that the Department of Personnel's review was based largely on qualitative factors as the scope of Ms. Sabins' duties and responsibilities have increased since it was established. Mr. Cates explained that Ms. Sabins works independently; reports directly to him and their administrator who depend on her technical personnel expertise; provides guidance to management on personnel issues; is involved in the budget process in matters dealing with personnel, and she analyzes legislation. Mr. Cates explained the complexity of HCFP programs and stated they have the largest single budget in the State at \$1.4 billion (Medicaid). It is critical they are staffed to manage their programs.

Mr. Foster confirmed that the Personnel Analyst II class is the highest level of personnel professional in the departments compared to Ms. Sabins' position. Mr. Foster added that the Department of Taxation has 100 more employees and \$3.5 billion in revenues.

Ms. Masters stated it is significant that the Personnel Officer I class spec does not have a minimum number of employees to warrant classification to that level. At the Personnel Officer II level it lists a range of 600-1200 employees, at the III level size exceeds 1200. Ms. Masters didn't give much weight to the size of agency when making classification determinations.

Ms. Sabins explained that HCFP needs this level of classification in order to conduct business. HCFP oversees 4 district offices which are staffed with nurses and social workers that are very difficult to recruit. Turnover of nurses is high.

Ms. Sabins replied 25 years to Commissioner Sánchez's question about how long she's worked in public personnel administration, and stated she was familiar with the 'whole job method' of classification. Commissioner Sánchez asked Ms. Sabins whether there were any flaws in Mr. Foster's determination.

Ms. Sabins replied that Mr. Foster focused on significant change and didn't look at the differences of her functions. The preponderance has changed because she has support staff to perform lower level functions.

Mr. Cates added that one of the flaws in the analysis presumed the original allocation was correct.

Commissioner Eastwick remarked how the personnel unit of HCFP had grown more in relation to their total employee count. He asked Ms. Sabins how the duties had grown. Ms. Sabins replied there was only one program when the division was created.

Mr. Foster responded to Commissioner Eastwick's question on the size of personnel units in comparable agencies, that the Personnel Analyst II's typically supervise 1 to 3 positions grades 25 to 29.

Commissioner Sánchez stated he didn't see any flaws in Mr. Foster's analysis. Chairman Enus agreed and added that Mr. Foster had an obligation to look at positions statewide and had responsibly carried that out in his analysis.

There being no further discussion, Commissioner Sánchez's motion to deny the appeal was seconded by Commissioner Fox and unanimously carried.

B. Bill Premo, Facility Supervisor III  
*University of Nevada, Reno, Grounds Department*

Bill Premo explained he was appealing the decision that denied him reclassification to Facility Supervisor IV. Mr. Premo stated that 5 years ago he was a Facility Supervisor III at the Stead Campus. That position was eliminated and he was transferred to the main campus where he was assigned temporary duties of a Facility Supervisor IV position after the incumbent retired. Mr. Premo explained that management told him they planned to make him permanent in the position at the IV level, but nothing happened for a couple of years.

Mr. Premo explained the Grounds Department was then added to his responsibilities. He asked the Commission for their consideration of common sense and equity and added he's not very confident they get the best treatment from the University Personnel Department. Mr. Premo feels the class specifications are subjective with tremendous overlap and personnel analysts can make determinations just about any way they want.

Mr. Premo referred to organizational charts from UNR and UNLV showing almost identical reporting relationships. They both report to an assistant director; have construction crews; trash removal, etc. Everything at UNLV is conducted at UNR to some degree; however, UNLV has more employees at higher grade levels. The campuses are similar in size. Mr. Premo explained their request for higher-level positions had been denied.

Mr. Premo was told the UNLV position was at the IV level because it managed water issues; however, he works daily with the Truckee Meadows Water Authority and deals with runoff more than UNLV due to UNR's sloping grounds. He meets regularly with landscapers and contractors; identifies necessary repairs and submits work orders; is responsible for 80 elevators on campus; receives 30-50 compliance notices per year for repairs; is responsible

for ordering/installing window coverings. Mr. Premo summarized his statements and findings and asked the Commission to grant his appeal.

Robin Freestone, Personnel Officer, BCN Personnel Services, UNR, explained the central point of this issue is scope of work. At the Facility Supervisor IV level, incumbents perform a wide-ranging scope of work in a combination of assignments. Ms. Freestone presented a list of 8 assignments performed by Facility Supervisor IV's. Each assignment is multi-leveled and complex and the incumbents are responsible for multiple assignments from the list.

Ms. Freestone explained that Mr. Premo's position is primarily focused on the management of daily grounds activities. Specifically, he plans and schedules the ongoing grounds maintenance; collects daily work orders and forwards them to the appropriate crew supervisor for disposition; and he has direct and indirect supervision of 30 workers. Of the list of assignments for Facility Supervisor IV, Mr. Premo performs only 2; supervision of others and planning and directing the daily grounds activities. Ms. Freestone explained that Mr. Premo's assignments are narrow when compared with the class concept and to other positions at the IV level. At the Facility Supervisor IV level, incumbents have administrative responsibility for a department or program. Mr. Premo has responsibility for specific activities within a department or program.

Ms. Freestone addressed Mr. Premo's comparison of his position to a Facility Supervisor IV at UNLV. The UNLV position performs all but one of the assignments Ms. Freestone had listed. Ms. Freestone verified these assignments by reviewing the NPD-19 and interviewing the incumbent. This position has administrative responsibility for a department or program and has diverse assignments. Ms. Freestone continued to explain how the two positions were dissimilar in scope of responsibility.

Ms. Freestone addressed Mr. Premo's question about water compliance related to landscape. Water compliance is critical to both Reno and Las Vegas and both areas have to comply with landscape watering regulations. The NPD-19 of the Las Vegas position shows 15% of the time spent on water compliance issues. Mr. Premo's NPD-19 does not show this duty at all. Ms. Freestone explained this duty would not impact the overall classification or grade of either position.

Ms. Freestone agreed with Mr. Premo that he does the same work as the UNLV position; however, only to some degree. Mr. Premo inherited his duties from several positions, one of which was classified at the Facility Supervisor IV level. Ms. Freestone explained the former Facility Supervisor IV was responsible for planning, organizing and directing all the skilled craft shops. The former incumbent supervised 34 skilled trades workers, developed the annual budget, and prioritized and scheduled all work orders. The focus of this

position was building maintenance (renovation, remodel and construction) not grounds maintenance. The former incumbent's position was reallocated to Facility Supervisor IV in 1990, and was subsequently assigned oversight of window blinds and elevator contracts. These two tasks were minor for the former position as they are for Mr. Premo's position.

Ms. Freestone explained the series concept for the Facility Supervisor series provides written guidance on determining levels within the series. The concept states "positions are allocated to levels in the series based on the scope and complexity of administrative and supervisory duties." Mr. Premo's job is to manage some of the activities within the grounds function and doesn't meet the scope or complexity of assignments of other Facility Supervisor IV's.

Ms. Freestone clarified Mr. Premo's statement that he was responsible for developing new policies and procedures. In an interview with his supervisor, she asked what Mr. Premo's role was in policy development. The supervisor recalled Mr. Premo developing a checklist of required training of new grounds crew, and instructions for grounds equipment operation. This was the only example his supervisor could think of and he added it was not Mr. Premo's role to develop policy.

In summary, Ms. Freestone explained that elevator maintenance contracts are negotiated by the UNR Purchasing Department. When an elevator needs service, Mr. Premo calls the contractor to request the service and then certifies it has been completed. With regard to window blinds, Mr. Premo determines the need for new blinds and contacts the vendor who measures, orders and installs them.

Commissioner Eastwick asked for clarification on the other Facility Supervisor IV position Mr. Premo mentioned earlier. Mr. Premo replied it was Tom Lean's prior position. Ms. Freestone replied that Mr. Lean had been a Facility Supervisor IV, and he had responsibility for both the grounds and custodial functions. UNR has approximately 350 custodians and that made a huge difference in the scope of work. Mr. Premo corrected Ms. Freestone's statement saying there were about 100 custodians.

Commissioner Eastwick asked of the 8 tasks of a Facility Supervisor IV listed by Ms. Freestone, who performs the 6 tasks Mr. Premo doesn't. Ms. Freestone answered they are performed by Mr. Premo's supervisor and other departments.

Chairman Enus asked whether Mr. Premo was able to see the slides prepared by Ms. Freestone. Mr. Premo stated he had and totally disagreed with a couple of comments. At UNR all bids are prepared by the Purchasing Department, with input from the affected departments. Mr. Premo stated there was a lot



more involved, and it sounded to him that if you falsify your NPD-19 and don't get caught you get an upgrade. If you're honest, you receive a "no significant change" decision and don't get an upgrade.

Chairman Enus responded that from Mr. Premo's own statements, she checked off the tasks Ms. Freestone had identified for Facility Supervisor IV. She asked Mr. Premo not to lay blame, but focus on his appeal and what he wanted the Commission to consider. Chairman Enus stated the Commission was only there to make a decision relative to his appeal based on the facts presented.

Chairman Enus asked Mr. Premo about his administration of the budget and development of policy. Mr. Premo responded that he has implemented about 40 policies and procedures on how employees should report leave, check out equipment, trim trees and shrubs. It's not something he does often, but as needed. The budget for the Facilities Department at UNR is totally prepared by their accountant with input from them. He has signature authority on 5 accounts.

Chairman Enus asked how policies are developed. Mr. Premo replied he drafts the policy, reviews/edits with affected parties, his supervisor may comment on it, but has never denied any of them. Policies are mentioned in staff meetings and distributed to each employee.

Commissioner Sánchez asked how the policies are kept. Mr. Premo confirmed they are located in one place for reference.

Chairman Enus stated that not seeing the policy examples, it sounded more like Mr. Premo was writing guidance and directions to staff. In response to Chairman Enus' question, Mr. Premo explained that technical drawings are done by architects and draftsman from Facilities Operations with his input.

Commissioner Eastwick asked how UNLV does technical drawings. Ms. Freestone replied that about 50% of the total UNLV grounds landscape is performed in-house and that the incumbent is responsible for plant selection and landscape materials and he draws computerized diagrams.

Mr. Premo replied that they do a bit more than 50% of grounds landscape in-house; in addition, all trenching and snow removal is done in-house.

Commissioner Read stated that the 25% of time spent on elevator contracts was made to sound trivial by Ms. Freestone. If that much time is spent there's more involved than sending a completion certificate. From his experience with rentals, ordering window coverings is also not as easy as it sounds. Commissioner Read felt these responsibilities were important.

Ms. Freestone replied that she didn't see the complexity of the elevator contracts and window coverings as being inherent of Facility Supervisor IV level work. There's a lot of juggling, but it's not the same as the technical knowledge required for the assignments seen at the IV level.

Commissioner Read asked how the State rewards employees when they save the State time and money. Ms. Freestone replied that the classification system is not designed for that.

Director Greene added that the Merit Award Program accepts suggestions from employees and gives monetary awards for those implemented.

Mr. Premo said he was aware of the Merit Award Program, but hadn't gone that route. Mr. Premo added he forgot to mention special projects assigned to him that he takes from A-Z, although he doesn't get a lot of those. Commissioner Read suggested that next time Mr. Premo put in for it.

Chairman Enus explained to Commissioner Read that in the discipline of human resources, duties that are more routine in nature and repetitive aren't minimized, but in looking at the class specs under Facility Supervisor IV and III, it talks about the responsibilities that reflect greater complexities in the planning, organizing and directing of personnel and she believes that was the point Ms. Freestone was trying to make.

Commissioner Read concurred with that, but when you're out in the field doing the actual work, it isn't always what came down on the work order.

Commissioner Sánchez added that positions are reallocated, not individuals and recommended they make their determination based on the position.

There being no further comments or questions, Commissioner Fox's motion to deny the appeal was seconded by Commissioner Sánchez. The motion carried with Commissioners Eastwick and Read voting against.

## **X. Special Reports**

Jim Spencer, Chief Deputy Attorney General, explained that an appeal denied by the Commission at their July 15, 2005, meeting may be appealed to district court by Dennis Stoddard, Legal Research Assistant II. Mr. Stoddard had another 2 weeks to file and if it goes to court, it will be the first time one of the Commission's decisions will have received judicial review. A judicial review will examine materials that were used by the Commission to make their decision and the written transcript. He said he would work with the Commission to provide these materials.

Mr. Spencer stated he was moved to the front office in May 2005, but continued to perform his prior duties. He has represented the Department of Personnel since 1982 and said this is the best Commission he's worked with. Mr. Spencer introduced his replacement, Deputy Attorney General, Scott Wasserman, and addressed his qualifications.

Chairman Enus spoke of her 10 years of experience working with Mr. Spencer and thanked him for his 23 years of service to the Department of Personnel.

XI. Comments by the General Public

Gary Wolff, Representative, Teamsters Local 14, stated the Commissioners did a wonderful thing by approving an extension of time for the grievance process and for treating all parties the same.

XII. Select Date for Next Quarter Meeting

Director Greene stated the date of the next meeting was scheduled for November 8, 2005, in Carson City, followed by the Certified Public Manager graduation at 1:30 p.m.

Director Greene asked the Commission to also schedule the next quarter's meeting which will assist staff in planning. This meeting was tentatively scheduled for February 10, 2006, in Las Vegas.

Commissioner Eastwick stated he may have to leave the November 8th, meeting early to attend a Governor's luncheon honoring small businesses that day.

XI. Adjournment

Commissioner Eastwick's motion to adjourn the meeting was seconded by Commissioner Read and unanimously carried at 11:50 a.m.